

Chapter 19.250***Assemblies of People - Entertainment*****19.250.010 Purpose**

The intent and purpose of regulating assemblies of people principally for entertainment purposes (theaters, clubs, lodges, banquet halls, auditoriums, stadiums, etc.) is to ensure compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

19.250.020 Applicability and Permit Requirements

- A. Assemblies of people for entertainment purposes, as defined in article X (Definitions), excluding adult entertainment that is regulated by Chapter 19.240, are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.
- B. Notwithstanding any specific provisions of Article V, Base Zones and Related Use and Development Provisions, the following incidental entertainment uses, as defined in Article X (Definitions), shall be exempt from any separate discretionary permit requirement, other than any permit that may be required of the principal use:
 - 1. Entertainment that is clearly incidental to a sit-down restaurant, book store, art gallery, bar/lounge or other non-entertainment-oriented use, provided that no stage or dance floor is involved.
 - 2. Entertainment that is clearly incidental to a full service hotel, that includes convention facilities, meeting rooms, and restaurant services.

19.250.030 Site Location, Development and Operational Standards

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to assemblies of people principally for entertainment purposes unless otherwise specified here. Moreover, such assemblies shall comply with all applicable laws, ordinances, policies and regulations.

- A. Site Location Standards
 - 1. The site shall have adequate access to a public street.
 - 2. The site shall be adequate in size and shape to accommodate the use and all yards, walls, parking, landscaping and other required improvements.
 - 3. The business shall not be located within six hundred feet of a hospital, public or private school (pre-school through twelfth grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, church or

park site, except in the Downtown arts and Entertainment District, as defined in Article X, where the six hundred foot distance restriction does not apply. However, in said Downtown Arts and Entertainment District, the Zoning Administrator shall consider distances from the above listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.

4. The business shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a discretionary permit.
5. The site shall not be in such proximity to other uses designed for human habitation, including extended care facilities, motels and hotels, that disturbances are likely to be caused by traffic, parking, noise or lighting.
6. Adequate provisions shall be made for vehicular and pedestrian access to the facility at peak business hours.

B. Development and Operational Standards

1. The use shall not substantially increase vehicular traffic on streets in a residential zone.
2. The use shall not substantially lessen the usability or suitability of adjacent or nearby properties for planned or zoned uses.
3. The use shall not substantially increase traffic hazards to pedestrians.
4. The use shall not cause a substantial adverse affect to health, safety or the general welfare of the neighborhood from light, glare or noise.
5. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or buildings as determined by an acoustical analysis prepared by a qualified design professional or acoustical engineer.
6. A security plan shall be provided for the approval of the Police Department demonstrating and committing to the provision of adequate on-site security.
7. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout private parking lots and access areas serving the business.
8. The submitted site plan shall demonstrate adequate accommodations for the queuing of patrons so as not to obstruct walkways, driveways or parking areas and so as not to create noise related disturbances to adjacent properties.

9. The submitted site plan shall demonstrate the availability of adequate parking, maneuvering, ingress and egress to accommodate patrons during peak business hours.

19.250.040 Variances

Variances may be considered from the standards outlined above (Section 19.250.030). However, such request shall increase the property notification requirement from a 300-foot radius to a 1,000-foot radius from the subject property.